

REMARKS

Claims 1-29 were pending. Claims 1-29 stand rejected. Claims 2, 4, 5, 7, 12, 14, 15, 17, 22, 24, and 26 have been cancelled by the above amendment. Claims 1, 3, 8-11, 13, 18-21, 23, 27 and 28 have been amended and claims 30-32 have been added. Therefore, claims 1, 3, 6, 8-11, 13, 16, 18-21, 23, 25, and 27-32 are currently pending. The Applicant respectfully requests further examination and reconsideration in view of the amendments made above and remarks below.

Drawings

Enclosed are new replacement drawings. The new drawings are based on the specification and include no new matter.

Rejections Under 35 U.S.C. §102(e):

Claims 1-5, 10-15, 20-24 and 29 were rejected under 35 U.S.C. §102(e) as being anticipated by Watkins, U.S. Patent No. 6,337,710. More particularly the examiner stated that:

Watkins discloses a method for generating a digital video stream (Col 3, Lines 32-34) ... generating intermediate digital content (Col. 3, lines 35-41) based on data that indicates what content to include (See Figure 4 and Col. 4, Lines 30-49) in the digital video stream ...

Watkins discloses a graphical video editing system for manipulation of images for input to a video encoding and decoding process. The system allows for the controlled editing of problem areas in test images as an aid to troubleshooting video encoders and decoders. See Abstract, Watkins.

As amended, claim 1 recites a method for generating a digital video stream comprising generating intermediate digital content based on data that indicates what content to include in the intermediate digital content. Then transferring the intermediate digital content to an encoder and encoding the intermediate digital content into the digital video stream.

The applicant has amended claim 1 to clarify that that the digital content is generated from a set of user preferences. See applicant's specification page 13, line 26 to page 14, line 5. A configuration manager generates the user preferences from a set of configuration options. See applicant's specification page 12, line 10 to page 13, line 16. Consequently, a

user may specify user preferences from a set of configuration options, which is then used to generate the digital content.

In contrast, Watkins discloses a source image that is edited to form a new input image. See Watkins, Col. 3, lines 19-34. The difference is that Watkins does not disclose generating an image from user preferences. Instead he discloses a system for editing existing source image files. Therefore, claim 1 is allowable over Watkins. Claims 3, 6, and 30 are allowable at least because they are dependent from claim 1.

The applicant has amended claim 3 to further distinguish it from Watkins. The applicant has amended claim 3 to include the phrase "a plurality of time zones in which various parts of a system that is to be tested with the digital video stream may be simulated to operate in" as supported by the Applicant's specification on page 12, lines 19-20.

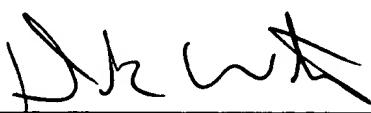
In addition, the applicant has added new dependent claims 30-32 that include the feature of "at least one rate control marker which alters a background color at set time intervals" as supported by the Applicant's specification on page 12, lines 22-23.

Watkins does not disclose or suggest the use of rate control markers or the generation of a digital video stream that includes the simulation of a plurality of times zones in which various parts of a simulated system may operate in.

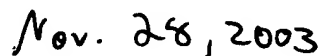
Claims 11, and 21 were amended in a similar manner to the amendment of claim 1. Claims 13 and 23 were amended in a similar manner to the amendment of claim 3. The arguments used above also apply to claims 11, 21 and the claims dependent from them. Therefore, said claims are allowable at least for the reasons listed above.

In view of the above, the Applicant respectfully submits that all of the pending claims are now in condition for allowance. Allowance at an early date would be greatly appreciated. If there are any questions regarding this correspondence, please contact the undersigned at (408) 293-9000.

Respectfully submitted,
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By 

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Date